

House Bill 901 (COMMITTEE SUBSTITUTE)

By: Representative Stephens of the 164<sup>th</sup>

A BILL TO BE ENTITLED

AN ACT

To provide for a surcharge on fines in the State Court of Bryan County and the Magistrate Court of Bryan County; to provide for use of such sums for the purpose of local juvenile diversion programs; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

(a) In every case in which the State Court of Bryan County and the Magistrate Court of Bryan County shall impose a fine, which shall be construed to include costs, for any criminal offense or any criminal ordinance violation, there shall be imposed as an additional penalty a sum equal to 10 percent of the original fine.

(b) Such sums shall be in addition to any amount required by Code Section 47-17-60 of the O.C.G.A. to be paid into the Peace Officers' Annuity and Benefit Fund and in addition to any other amounts provided for by general law.

**SECTION 2.**

(a) The sums provided for in Section 1 of this Act shall be assessed and collected by the court officer charged with the duty of collecting moneys arising from fines and shall be paid over to the juvenile court of Bryan County for the purpose of establishing and maintaining a local juvenile diversion program carried out by the juvenile court or by a program approved by the juvenile court. The purpose of a local juvenile diversion program is to reduce the number of juveniles proceeding through juvenile court and reduce recidivism by creating alternatives to the court system which may include intensive case management, referrals for other services, tracking and improving school attendance, increasing services and support for juveniles and their families through partnerships with private and public agencies, or providing mentoring or other activities for juveniles. The funds shall be paid over in the same manner as other county funds paid for operations of the juvenile court and shall be in

1 addition to rather than in lieu of any other such funds. These funds shall be paid to the  
2 respective juvenile courts by the last day of the month following the month in which the  
3 funds are received; provided, however, that the governing authority of the county shall be  
4 authorized to hold as reserve funds an amount not to exceed 5 percent of the funds received  
5 by the governing authority in the preceding calendar year.

6 (b) This article shall not preclude the appropriation or expenditure of other funds by the  
7 governing authority of the county for the purpose of juvenile diversion programs.

### 8 **SECTION 3.**

9 This Act shall become effective on July 1, 2006, and shall apply to criminal offenses alleged  
10 to have occurred on or after July 1, 2006.

### 11 **SECTION 4.**

12 All laws and parts of laws in conflict with this Act are repealed.